

# **Senate File 2384 - Introduced**

SENATE FILE 2384

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SF 2255)

(SUCCESSOR TO SF 2168)

## **A BILL FOR**

- 1 An Act relating to the nursing workforce including the
- 2 establishment of an Iowa needs nurses now initiative.
- 3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1     Section 1. NEW SECTION.   84A.11   Nursing workforce data  
2 clearinghouse.

3     1.   a.   The department of workforce development shall  
4 establish a nursing workforce data clearinghouse for the  
5 purpose of collecting and maintaining data from all available  
6 and appropriate sources regarding Iowa's nursing workforce.  
7     b.   The department of workforce development shall have access  
8 to all data regarding Iowa's nursing workforce collected or  
9 maintained by any state department or agency to support the  
10 data clearinghouse.

11    c.   Information maintained in the nursing workforce data  
12 clearinghouse shall be available to any state department or  
13 agency.

14    2.   The department of workforce development shall consult  
15 with the board of nursing, the department of public health,  
16 the department of education, and other appropriate entities in  
17 developing recommendations to determine options for additional  
18 data collection.

19    3.   The department of workforce development, in consultation  
20 with the board of nursing, shall adopt rules pursuant to  
21 chapter 17A to administer the data clearinghouse.

22    4.   The nursing workforce data clearinghouse shall be  
23 established and maintained in a manner consistent with the  
24 health care delivery infrastructure and health care workforce  
25 resources strategic plan developed pursuant to section 135.164.

26    5.   The department of workforce development shall submit a  
27 report to the governor and the general assembly, annually by  
28 January 15, regarding the nursing workforce data clearinghouse,  
29 and, following establishment of the data clearinghouse, the  
30 status of the nursing workforce in Iowa.

31    Sec. 2.   Section 135.175, subsection 1, paragraph a, Code  
32 Supplement 2009, is amended to read as follows:

33    a.   A health care workforce support initiative is established  
34 to provide for the coordination and support of various efforts  
35 to address the health care workforce shortage in this state.

1 This initiative shall include the medical residency training  
 2 state matching grants program created in section 135.176,  
 3 the nurse residency state matching grants program created in  
 4 section 135.176A, the health care professional and ~~nursing~~  
 5 ~~workforce shortage~~ Iowa needs nurses now initiative created  
 6 in sections 261.128 and 261.129, the safety net provider  
 7 recruitment and retention initiatives program created in  
 8 section 135.153A, health care workforce shortage national  
 9 initiatives, and the physician assistant mental health  
 10 fellowship program created in section 135.177.

11 Sec. 3. Section 135.175, subsection 3, Code Supplement  
 12 2009, is amended to read as follows:

13 3. The department and any entity identified in this section  
 14 as having control over any of the accounts within the fund,  
 15 may receive contributions, grants, and in-kind contributions  
 16 to support the purposes of the fund and the accounts within  
 17 the fund. Not more than five percent of the moneys allocated  
 18 to any account within the fund may be used for administrative  
 19 costs.

20 Sec. 4. Section 135.175, subsection 5, paragraph b, Code  
 21 Supplement 2009, is amended to read as follows:

22 b. The health care professional and ~~nurse workforce~~  
 23 ~~shortage~~ Iowa needs nurses now initiative account. The health  
 24 care professional and ~~nurse workforce shortage~~ Iowa needs  
 25 nurses now initiative account shall be under the control of  
 26 the college student aid commission created in section 261.1  
 27 and the moneys in the account shall be used for the purposes  
 28 of the health care professional incentive payment program and  
 29 the ~~nurse workforce shortage~~ Iowa needs nurses now initiative  
 30 as specified in sections 261.128 and 261.129. Moneys in the  
 31 account shall consist of moneys appropriated or allocated  
 32 for deposit in or received by the fund or the account and  
 33 specifically dedicated to the health care professional and  
 34 ~~nurse workforce shortage~~ Iowa needs nurses now initiative or  
 35 the account for the purposes of the account.

1     Sec. 5. Section 135.175, subsection 5, Code Supplement  
2 2009, is amended by adding the following new paragraphs:

3     NEW PARAGRAPH. *f.* The Iowa needs nurses now infrastructure  
4 account. The Iowa needs nurses now infrastructure account  
5 shall be under the control of the department and the moneys  
6 in the account shall be used to award grants in accordance  
7 with rules adopted by the department, in consultation with  
8 the board of nursing, the department of education, and a  
9 statewide association that represents nurses specified by the  
10 director, pursuant to chapter 17A, for clinical simulators,  
11 laboratory facilities, health information technology, and other  
12 infrastructure to improve the training of nurses and nurse  
13 educators in the state and to enhance the clinical experience  
14 for nurses. Grants awarded shall authorize the use of a  
15 reasonable portion of the grant moneys for training in the  
16 use of the infrastructure purchased with the grant moneys.  
17 Moneys in the account shall consist of moneys appropriated  
18 or allocated for deposit in or received by the fund or the  
19 account and specifically dedicated to the Iowa needs nurses now  
20 infrastructure account for the purposes of the account.

21     NEW PARAGRAPH. *g.* The nurse residency state matching grants  
22 program account. The nurse residency state matching grants  
23 program account shall be under the control of the department  
24 and the moneys in the account shall be used for the purposes of  
25 the nurse residency state matching grants program as specified  
26 in section 135.176A. Moneys in the account shall consist of  
27 moneys appropriated or allocated for deposit in or received  
28 by the fund or the account and specifically dedicated to the  
29 nurse residency state matching grants program account for the  
30 purposes of such account.

31     Sec. 6. Section 135.175, subsection 6, paragraph a, Code  
32 Supplement 2009, is amended to read as follows:

33     *a.* Moneys in the fund and the accounts in the fund shall  
34 only be appropriated in a manner consistent with the principles  
35 specified and the strategic plan developed pursuant to

1 sections 135.163 and 135.164 to support the medical residency  
 2 training state matching grants program, the nurse residency  
 3 state matching grants program, the health care professional  
 4 incentive payment program, ~~the nurse educator incentive payment~~  
 5 ~~and nursing faculty fellowship programs~~ Iowa needs nurses  
 6 now initiative, the safety net recruitment and retention  
 7 initiatives program, for national health care workforce  
 8 shortage initiatives, for the physician assistant mental health  
 9 fellowship program, for the purposes of the Iowa needs nurses  
 10 now infrastructure account, and to provide funding for state  
 11 health care workforce shortage programs as provided in this  
 12 section.

13     Sec. 7. NEW SECTION. 135.176A Nurse residency state  
 14 matching grants program — repeal.

15     1. The department shall establish a nurse residency state  
 16 matching grants program to provide matching state funding  
 17 to sponsors of nurse residency programs in this state to  
 18 establish, expand, or support nurse residency programs that  
 19 meet standards adopted by rule of the department. Funding for  
 20 the program may be provided through the health care workforce  
 21 shortage fund or the nurse residency state matching grants  
 22 program account created in section 135.175. The department,  
 23 in cooperation with the Iowa board of nursing, the department  
 24 of education, Iowa institutions of higher education with board  
 25 of nursing-approved programs to educate nurses, and the Iowa  
 26 nurses association, shall adopt rules pursuant to chapter 17A  
 27 to establish minimum standards for nurse residency programs  
 28 to be eligible for a matching grant that address all of the  
 29 following:

30     a. Eligibility requirements for and qualifications of  
 31 a sponsor of a nurse residency program to receive a grant,  
 32 including that the program includes both rural and urban  
 33 components.

34     b. The application process for the grant.

35     c. Criteria for preference in awarding of the grants.

1     *d.* Determination of the amount of a grant.

2     *e.* Use of the funds awarded. Funds may be used to pay  
3 the costs of establishing, expanding, or supporting a nurse  
4 residency program as specified in this section, including but  
5 not limited to the costs associated with residency stipends and  
6 nursing faculty stipends.

7     2. This section is repealed June 30, 2014.

8     Sec. 8. Section 261.2, subsection 10, Code Supplement 2009,  
9 is amended to read as follows:

10     10. Administer the health care professional incentive  
11 payment program established in section 261.128 and the ~~nursing~~  
12 ~~workforce shortage~~ Iowa needs nurses now initiative created in  
13 section 261.129. This subsection is repealed June 30, 2014.

14     Sec. 9. Section 261.128, subsection 1, Code Supplement  
15 2009, is amended to read as follows:

16     1. The commission shall establish a health care  
17 professional incentive payment program to recruit and retain  
18 health care professionals in this state. Funding for the  
19 program may be provided through the health care workforce  
20 shortage fund or the health care professional and ~~nurse~~  
21 ~~workforce shortage~~ Iowa needs nurses now initiative account  
22 created in section 135.175.

23     Sec. 10. Section 261.129, Code Supplement 2009, is amended  
24 to read as follows:

25     **261.129 ~~Nursing workforce shortage~~ Iowa needs nurses**  
26 **now initiative — repeal.**

27     1. *Nurse educator incentive payment program.*

28     *a.* The commission shall establish a nurse educator incentive  
29 payment program. Funding for the program may be provided  
30 through the health care workforce shortage fund or the health  
31 care professional and ~~nurse workforce shortage~~ Iowa needs  
32 nurses now initiative account created in section 135.175.

33 For the purposes of this subsection, “*nurse educator*” means  
34 a registered nurse who holds a master’s degree or doctorate  
35 degree and is employed as a faculty member who teaches nursing

1 in a nursing education program as provided in 655 IAC 2.6 at  
2 a community college, an accredited private institution, or an  
3 institution of higher education governed by the state board of  
4 regents.

5     **b.** The program shall consist of incentive payments to  
6 recruit and retain nurse educators. The program shall provide  
7 for incentive payments of up to twenty thousand dollars for a  
8 nurse educator who remains teaching in a qualifying teaching  
9 position for a period of not less than four consecutive  
10 academic years.

11     **c.** The nurse educator and the commission shall enter into an  
12 agreement specifying the obligations of the nurse educator and  
13 the commission. If the nurse educator leaves the qualifying  
14 teaching position prior to teaching for four consecutive  
15 academic years, the nurse educator shall be liable to repay  
16 the incentive payment amount to the state, plus interest as  
17 specified by rule. However, if the nurse educator leaves  
18 the qualifying teaching position involuntarily, the nurse  
19 educator shall be liable to repay only a pro rata amount of the  
20 incentive payment based on incompleting years of service.

21     **d.** The commission, in consultation with the department  
22 of public health, the board of nursing, the department of  
23 education, and the Iowa nurses association, shall adopt rules  
24 pursuant to chapter 17A relating to the establishment and  
25 administration of the nurse educator incentive payment program.  
26 The rules shall include provisions specifying what constitutes  
27 a qualifying teaching position.

28     **2. Nursing faculty fellowship program.**

29     **a.** The commission shall establish a nursing faculty  
30 fellowship program to provide funds to nursing schools in the  
31 state, including but not limited to nursing schools located at  
32 community colleges, for fellowships for individuals employed  
33 in qualifying positions on the nursing faculty. Funding for  
34 the program may be provided through the health care workforce  
35 shortage fund or the health care professional and nurse

1 ~~workforce shortage~~ the Iowa needs nurses now initiative account  
2 created in section 135.175. The program shall be designed  
3 to assist nursing schools in filling vacancies in qualifying  
4 positions throughout the state.

5     **b.** The commission, in consultation with the department  
6 of public health, the board of nursing, the department of  
7 education, and the Iowa nurses association, and in cooperation  
8 with nursing schools throughout the state, shall develop a  
9 distribution formula which shall provide that no more than  
10 thirty percent of the available moneys are awarded to a single  
11 nursing school. Additionally, the program shall limit funding  
12 for a qualifying position in a nursing school to no more than  
13 ten thousand dollars per year for up to three years.

14     **c.** The commission, in consultation with the department  
15 of public health, the board of nursing, the department of  
16 education, and the Iowa nurses association, shall adopt  
17 rules pursuant to chapter 17A to administer the program. The  
18 rules shall include provisions specifying what constitutes a  
19 qualifying position at a nursing school.

20     **d.** In determining eligibility for a fellowship, the  
21 commission shall consider all of the following:

22         (1) The length of time a qualifying position has gone  
23 unfilled at a nursing school.

24         (2) Documented recruiting efforts by a nursing school.

25         (3) The geographic location of a nursing school.

26         (4) The type of nursing program offered at the nursing  
27 school, including associate, bachelor's, master's, or doctoral  
28 degrees in nursing, and the need for the specific nursing  
29 program in the state.

30     **3. Nurse educator scholarship program.**

31     **a.** The commission shall establish a nurse educator  
32 scholarship program. Funding for the program may be provided  
33 through the health care workforce shortage fund or the health  
34 care professional and the Iowa needs nurses now initiative  
35 account created in section 135.175. The goal of the nurse



1 educator scholarship program is to address the waiting list of  
2 qualified applicants to Iowa's nursing schools by providing  
3 incentives for the training of additional nursing educators.  
4 For the purposes of this subsection, "nurse educator" means  
5 a registered nurse who holds a master's degree or doctorate  
6 degree and is employed as a faculty member who teaches nursing  
7 in a nursing education program as provided in 655 IAC 2.6 at  
8 a community college, an accredited private institution, or an  
9 institution of higher education governed by the state board of  
10 regents.

11 b. The program shall consist of scholarships to further  
12 advance the education of nurses to become nurse educators. The  
13 program shall provide for scholarship payments in an amount  
14 established by rule for students who are preparing to teach in  
15 qualifying teaching positions.

16 c. The commission, in consultation with the department  
17 of public health, the board of nursing, the department of  
18 education, and the Iowa nurses association, shall adopt rules  
19 pursuant to chapter 17A relating to the establishment and  
20 administration of the nurse educator scholarship program. The  
21 rules shall include provisions specifying what constitutes a  
22 qualifying teaching position and the amount of any scholarship.

23 4. Nurse educator scholarship-in-exchange-  
24 for-service program.

25 a. The commission shall establish a nurse educator  
26 scholarship-in-exchange-for-service program. Funding for the  
27 program may be provided through the health care workforce  
28 shortage fund or the health care professional and Iowa needs  
29 nurses now initiative account created in section 135.175. The  
30 goal of the nurse educator scholarship-in-exchange-for-service  
31 program is to address the waiting list of qualified applicants  
32 to Iowa's nursing schools by providing incentives for the  
33 education of additional nursing educators. For the purposes  
34 of this subsection, "nurse educator" means a registered nurse  
35 who holds a master's degree or doctorate degree and is employed

1 as a faculty member who teaches nursing in a nursing education  
2 program as provided in 655 IAC 2.6 at a community college, an  
3 accredited private institution, or an institution of higher  
4 education governed by the state board of regents.

5 b. The program shall consist of scholarships to further  
6 advance the education of nurses to become nurse educators. The  
7 program shall provide for scholarship-in-exchange-for-service  
8 payments in an amount established by rule for students who  
9 are preparing to teach in qualifying teaching positions for a  
10 period of not less than four consecutive academic years.

11 c. The scholarship-in-exchange-for-service recipient  
12 and the commission shall enter into an agreement specifying  
13 the obligations of the applicant and the commission.  
14 If the nurse educator leaves the qualifying teaching  
15 position prior to teaching for four consecutive academic  
16 years, the nurse educator shall be liable to repay the  
17 scholarship-in-exchange-for-service amount to the state plus  
18 interest as specified by rule. However, if the nurse educator  
19 leaves the qualified teaching position involuntarily, the nurse  
20 educator shall be liable to repay only a pro rata amount of the  
21 scholarship based on incomplete years of service.

22 d. The receipt of a nurse educator  
23 scholarship-in-exchange-for-service shall not impact  
24 eligibility of an individual for other financial incentives  
25 including but not limited to loan forgiveness programs.

26 e. The commission, in consultation with the department  
27 of public health, the board of nursing, the department  
28 of education, and the Iowa nurses association, shall  
29 adopt rules pursuant to chapter 17A relating to the  
30 establishment and administration of the nurse educator  
31 scholarship-in-exchange-for-service program. The rules  
32 shall include the provisions specifying what constitutes  
33 a qualifying teaching position and the amount of any  
34 scholarship-in-exchange-for-service.

35 3- 5. Repeal. This section is repealed June 30, 2014.

1     Sec. 11. BOARD OF NURSING — DATA COLLECTION REGARDING  
2 NURSING WORKFORCE. The board of nursing shall replace  
3 its existing database and data platform to allow for the  
4 maintenance of archival information and enhanced public access  
5 and shall update its nursing survey instrument to ensure the  
6 collection of more complete and usable data in assessing Iowa's  
7 nursing workforce.

8     Sec. 12. CODE EDITOR DIRECTIVE. The Code editor shall  
9 amend the title of the division in chapter 261, which includes  
10 section 261.129, as amended in this Act, as the Iowa needs  
11 nurses now initiative.

12     Sec. 13. IMPLEMENTATION. This Act shall be implemented only  
13 to the extent funding is available.

14                                   EXPLANATION

15     This bill includes provisions relating to the nursing  
16 workforce.

17     The bill directs the department of workforce development  
18 to establish a nursing workforce data clearinghouse for  
19 the purpose of collecting and maintaining data from all  
20 available and appropriate sources regarding Iowa's nursing  
21 workforce. The department is to have access to all data  
22 regarding Iowa's nursing workforce collected or maintained  
23 by any state department or agency to support the data  
24 clearinghouse, and the information maintained in the nursing  
25 workforce data clearinghouse is to be available to any state  
26 department or agency. The bill directs the department of  
27 workforce development to consult with the board of nursing,  
28 the department of public health (DPH), the department of  
29 education, and other appropriate entities in developing  
30 recommendations to determine options for additional data  
31 collection. The bill provides rulemaking authority to the  
32 department of workforce development in consultation with the  
33 board of nursing to administer the data clearinghouse, and  
34 directs that a nursing workforce data clearinghouse shall be  
35 established and maintained in a manner consistent with the

1 health care delivery infrastructure and health care workforce  
2 resources strategic plan developed by DPH. The bill requires  
3 the department of workforce development to submit an annual  
4 report to the governor and the general assembly regarding the  
5 data clearinghouse, and, following its establishment, the  
6 status of the nursing workforce in Iowa.

7 The bill also adds two accounts to the health care workforce  
8 shortage fund: the Iowa needs nurses now infrastructure  
9 account under the control of DPH to provide for the awarding of  
10 grants for clinical simulators, laboratory facilities, health  
11 information technology, and other infrastructure to improve  
12 the training of nurses and nurse educators in the state and  
13 to enhance the clinical experience for nurses; and the nurse  
14 residency state matching grants program account under the  
15 control of DPH to provide matching state funding to sponsors of  
16 nurse residency programs in this state to establish, expand, or  
17 support nurse residency programs that meet standards adopted  
18 by rule of DPH.

19 The bill changes the name of the nursing workforce shortage  
20 initiative within the health care workforce support initiative  
21 to the Iowa needs nurses now initiative and makes a similar  
22 change to the name of the account for the initiative. The  
23 bill also requires the college student aid commission, which  
24 currently controls the Iowa needs nurses now initiative, to  
25 consult with the Iowa board of nursing, the department of  
26 education, and the Iowa nurses association in adopting rules  
27 for the initiative and distributing funds.

28 The bill adds two programs to the Iowa needs nurses now  
29 initiative: the nurse educator scholarship program and the  
30 nurse educator scholarship-in-exchange-for-service program.

31 The bill also provides that implementation is subject to the  
32 extent of funding available.